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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 UNITED STATES OF AMERICA,) CASE NO. MJ 08-405
10)
11 Plaintiff,)
12)
13 v.) DETENTION ORDER
14)
15 ROBERTO ANGEL CHAVEZ,)
16)
17 Defendant.)
18)
19)
20)

21 Offense charged: Possession of Cocaine Base in the Form of Crack Cocaine with the Intent
22 to Distribute; Possession of Cocaine with Intent to Distribute; Felon in Possession of a Firearm

23 Date of Detention Hearing: September 22, 2008

24 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
25 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
26 that no condition or combination of conditions which defendant can meet will reasonably assure
27 the appearance of defendant as required and the safety of other persons and the community.

28 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

29 (1) Defendant, age 27, has a lengthy criminal history which includes crimes of violence,

01 several attempts to elude pursuing police, firearms charges and controlled substances. He is either
02 a past or current member of the 74 Hoover Crips.

03 (2) Defendant is currently on community supervision. There is some history of failing
04 to appear for hearing and failure to comply with court orders. He is alleged to have a history of
05 illegal substance abuse. The Court notes that three small children were present in the car when
06 defendant was arrested pursuant to the instant charges, at which time marijuana, cocaine and a
07 stolen firearm were allegedly found under the passenger seat on which the children were seated.

08 (3) Defendant poses a risk of nonappearance based on history of failing to appear or
09 attempts to elude, a history of failure to comply with court orders, his status on active community
10 supervision and alleged history of using illegal substances. He poses a risk of danger due to alleged
11 membership in a gang, criminal history and the nature of the current charges.

12 (4) There does not appear to be any condition or combination of conditions that will
13 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
14 to other persons or the community.

15 It is therefore ORDERED:

16 (1) Defendant shall be detained pending trial and committed to the custody of the
17 Attorney General for confinement in a correction facility separate, to the extent
18 practicable, from persons awaiting or serving sentences or being held in custody
19 pending appeal;

20 (2) Defendant shall be afforded reasonable opportunity for private consultation with
21 counsel;

22 (3) On order of a court of the United States or on request of an attorney for the

Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

- (4) The clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 22nd day of September, 2008.

Mary Alice Theiler
Mary Alice Theiler
United States Magistrate Judge